

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

DILIP JANA

v.

WALMART, INC.

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NO. 4:24-CV-00698-SDJ-BD

ORDER

Pro se plaintiff Dilip Jana filed a motion to compel and for sanctions. Dkt. 75. The court will strike the motion as premature and order the parties to provide dates for a hearing on the underlying discovery dispute.

As a prerequisite to any motion to compel, the order governing proceedings, Dkt. 50 at 5, and the scheduling order, Dkt. 57 at 4, require the parties to meet and confer in accordance with Local Rule CV-7(h) and, if they cannot resolve the dispute themselves, contact chambers to schedule a teleconference. That requirement applies to both represented parties and those proceeding pro se.

Jana asserts that he conferred with defendant Walmart, Inc., by sending its counsel two emails. But Local Rule CV-7(h) requires “a personal conference, by telephone or in person,” to discuss discovery disputes, so his emails were insufficient. Further, Jana did not contact chambers to schedule a teleconference, so he also failed to satisfy the second prerequisite.

It is **ORDERED** that:

- 1) the motion to compel, Dkt. 75, is **STRUCK** as premature; and
- 2) within 7 days of the entry of this order:
 - a) the parties confer and agree upon dates for an in-person afternoon hearing on the discovery dispute; and
 - b) Jana email those agreed dates to Judge_Davis_Chambers@txed.uscourts.gov, copying Walmart’s counsel.

So **ORDERED** and **SIGNED** this 11th day of July, 2025.



Bill Davis
United States Magistrate Judge